

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

RUSSELL BUCKLEW,

Plaintiff,

v.

GEORGE A. LOMBARDI, *et al.*,

Defendants.

Case No. 14-08000-CV-W-BP

**ORDER (1) SETTING DEADLINES FOR FILING OF JOINT PROPOSED  
SCHEDULING ORDER AND FOR RULE 26(f) CONFERENCE AND (2) DIRECTING  
PLAINTIFF'S COUNSEL TO SUBMIT PROPOSED BUDGET**

Pursuant to Rule 26(f) and Local Rule 26.1(a) the parties shall meet to discuss settlement, make or arrange for Rule 26(a)(1) disclosures, and develop a proposed discovery plan as required by Rule 26(f). This meeting shall take place no later than April 26, 2016. Discovery shall commence immediately after this conference is held.

The parties shall file a joint proposed scheduling order/discovery plan by May 10, 2016. Plaintiff's counsel shall take the lead in preparing the proposed plan. The proposed plan shall comply with Local Rules 16.1(d), 16.1(f), 26.1(c) and 26.1(d). The proposed plan shall state whether the case will be tried to the Court or to a jury and the anticipated length of the trial. The proposed trial date shall not be sooner than 150 days after the deadline proposed for filing of dispositive motions. Please refer to the document entitled "Procedures as to Proposed Scheduling Orders and Pretrial Conferences" located on the Court's website ([www.mow.uscourts.gov](http://www.mow.uscourts.gov)) in the Judges' section, under U.S. District Court Judge Beth Phillips. You can also follow this link: <http://www.mow.uscourts.gov/judges/phillips.html>.

Pursuant to Rule 26(f)(3)(C) the proposed plan should address any concerns or issues relating to electronically stored information (ESI). If applicable, the plan should address (1) what ESI is available and where it resides; (2) preservation of information; (3) the ease/difficulty and cost of producing such information; (4) the schedule and format of production; and (5) agreements about privilege or work-product protection.

Counsel are advised that the Court does not wish to receive courtesy copies of motions and other filings unless requested.

With respect to discovery, counsel are reminded that:

1. The number and form of interrogatories and depositions are governed by Rules 30, 31, and 33.
2. The procedure for resolving discovery disputes is governed by Local Rule 37.1.
3. The form of answers to certain discovery requests and the disclosures required by Rule 26 are provided in Local Rule 26.2.
4. The filing of motions does not postpone discovery. See Local Rule 26.1(b).

Finally, at the same time the Proposed Scheduling Order is filed, Plaintiff's counsel shall file a Proposed Budget encompassing the legal, investigative and other costs necessary to litigate the case through completion. The Proposed Budget should be broken out on a task by task basis and should not simply list totals for each function. The Proposed Budget may be filed under seal.

**IT IS SO ORDERED.**

Date: April 11, 2016

/s/ Beth Phillips  
BETH PHILLIPS, JUDGE  
UNITED STATES DISTRICT COURT